

1 marked for identification as Bureau  
2 Exhibit 219 was received into  
3 evidence.)

4 JUDGE CHACHKIN: Bureau Exhibit 227. Do you object  
5 to this exhibit?

6 MR. TOPEL: Since none of the parties to this  
7 document are -- have been examined during discovery or are  
8 going to be examined, I would not object to it subject to the  
9 same limitation that Mr. Cohen offered to show that  
10 Mr. Sebastian was -- no, I, I think I will not object to it  
11 subject to it being tied up.

12 JUDGE CHACHKIN: All right, is that satisfactory to  
13 the Bureau?

14 MR. SHOOK: That is satisfactory.

15 JUDGE CHACHKIN: Bureau Exhibit 227 is received.  
16 (Whereupon, the document previously  
17 marked for identification as Bureau  
18 Exhibit 227 was received into  
19 evidence.)

20 JUDGE CHACHKIN: The next one is 234, and again  
21 those are minutes, and I will receive the exhibit.

22 (Whereupon, the document previously  
23 marked for identification as Bureau  
24 Exhibit 234 was received into  
25 evidence.)

1 JUDGE CHACHKIN: 235. Objection?

2 MR. TOPEL: Yes, Your Honor. I just don't  
3 understand the relevance of the document.

4 MR. SHOOK: Basically we're -- this is a prelude to  
5 the annual meeting that, that took place, and it's simply to,  
6 you know, reflect that what Paul Crouch is doing, that he's  
7 informing all the people who work at TBN that this is when the  
8 meeting is going to be, and we have other documents which  
9 will -- which, with testimony, we believe would show that  
10 NMTV's meeting was taking place at the same time as the TBN  
11 meetings were, and while we have separate minutes, we don't  
12 necessarily think we had a separate meeting as such.

13 JUDGE CHACHKIN: Bureau Exhibit 235 is received.  
14 (Whereupon, the document previously  
15 marked for identification as Bureau  
16 Exhibit 235 was received into  
17 evidence.)

18 JUDGE CHACHKIN: 240? Do you object to that one?

19 MR. TOPEL: One second, Your Honor.

20 (Pause.)

21 MR. TOPEL: Well, subject, subject to your prior  
22 rulings, Your Honor, I -- I don't know the purpose for this  
23 offer. If it's offered to show that Mrs. Duff was an employee  
24 of TBN and received the memo --  
25

JUDGE CHACHKIN: Well, let's find out from the

1 Bureau.

2 MR. TOPEL: Yeah. One of the problems I've had,  
3 Your Honor, and, you know, I hope you appreciate it, I've  
4 tried very hard to minimize the number of objections that  
5 were, and --

6 JUDGE CHACHKIN: I do appreciate it and I think it's  
7 very helpful when the Bureau gives us their reasons.

8 MR. TOPEL: Yeah, I -- but some of them I just  
9 couldn't --

10 JUDGE CHACHKIN: I understand that.

11 MR. TOPEL: -- couldn't discern.

12 JUDGE CHACHKIN: What is the Bureau's purpose?

13 MR. SHOOK: Paul Crouch is informing all the  
14 department heads that, you know, the personnel supervisor is  
15 supposed to be contacted with respect to certain activities.  
16 A copy of this went to Jane Duff. This memo was issued less  
17 than a year prior to the time some of the Portland vacancies  
18 were filled, and some of those vacancies were filled by  
19 persons who had been employed at Trinity, and so this is, this  
20 is -- my purpose here is to try to use this as a starting  
21 point for, perhaps, tying in some of the activities that were  
22 utilized in filling positions --

23 MR. TOPEL: Well --

24 MR. SHOOK: -- and if that can be done, this will, I  
25 think, be pertinent. If not, then it won't be.

1 MR. TOPEL: Okay, subject to it being tied up --

2 JUDGE CHACHKIN: Bureau Exhibit 240 is received.

3 (Whereupon, the document previously  
4 marked for identification as Bureau  
5 Exhibit 240 was received into  
6 evidence.)

7 JUDGE CHACHKIN: 246.

8 MR. TOPEL: Okay, I have no objection to that  
9 subject to it being tied up.

10 JUDGE CHACHKIN: Bureau Exhibit 246 is received.

11 (Whereupon, the document previously  
12 marked for identification as Bureau  
13 Exhibit 246 was received into  
14 evidence.)

15 JUDGE CHACHKIN: 250, another newsletter. What are  
16 the pertinent portions?

17 MR. SHOOK: The third page, there is a reference to  
18 Reverend Hill, and on the fourth page the list of stations.

19 JUDGE CHACHKIN: Bureau Exhibit 250 is received.

20 (Whereupon, the document previously  
21 marked for identification as Bureau  
22 Exhibit 250 was received into  
23 evidence.)

24 JUDGE CHACHKIN: All right, now we move on to  
25 Volume 5.

1 COURT REPORTER: I have to change the tape, sir.

2 JUDGE CHACHKIN: Yes, go ahead.

3 (Whereupon, a brief recess was taken.)

4 JUDGE CHACHKIN: All right, Volume 5, the next  
5 objection is to 253.

6 MR. TOPEL: Your Honor, before we get to that, one  
7 item that's in Volume 4 that Mr. Shook and I are in agreement  
8 about is this. In citing Exhibit 233, the second page of that  
9 exhibit is a sale agreement and receipt for earnest money, but  
10 the bottom portion of the page is cut off, and I have affirmed  
11 with Mrs. Duff that she did -- Mrs. Duff signed that on behalf  
12 of National Minority Television, and I believe Mr. Shook is,  
13 is willing to accept that stipulation so that it will be  
14 understood that the, the entirety of this document will show  
15 that Mrs. Duff signed it.

16 JUDGE CHACHKIN: Is that satisfactory with the  
17 Bureau?

18 MR. SHOOK: Yes, sir.

19 JUDGE CHACHKIN: Glendale, also?

20 MR. COHEN: Yes.

21 JUDGE CHACHKIN: All right, the stipulation is  
22 accepted.

23 MR. TOPEL: Thank you, Your Honor.

24 JUDGE CHACHKIN: Now we proceed with 253, an  
25 exemption application. Do you object to that exhibit?

1 MR. TOPEL: Yes, Your Honor, I, I just, I --

2 JUDGE CHACHKIN: Well, let's find out from the  
3 Bureau if that's --

4 MR. TOPEL: I don't understand why it's offered.

5 JUDGE CHACHKIN: What's the reason, Mr. Shook?

6 MR. SHOOK: Well, Your Honor, on the first page we  
7 have an individual who previously has not been involved in  
8 this picture in any way, and that is Eddie Roush, R-O-U-S-H,  
9 Jr. This person identifies himself as general counsel. One  
10 of the things that we'd like to explore is, you know, how did  
11 this individual come to make that representation, and we  
12 believe that could be done through the persons, you know, hold  
13 themselves out as NMTV directors. The second aspect of this,  
14 well, that representation again appears on page 3 when  
15 Mr. Roush signs this document. Moving on to page 4, point  
16 1.4, NMTV is providing a description of itself and we would  
17 like to explore with NMTV people who are going to be here how  
18 this description came to be, what individuals passed on that  
19 information. Moving on to page 5, point 1.5 there is a  
20 reference to an attached exhibit which is incorporated into  
21 this exemption request, and it's a listing of TBN affiliates,  
22 of which NMTV is a part, and you move to page 22 of the  
23 exhibit, and that's where you'll see the entities that are  
24 associated, in the mind of Mr. Roush at least, as coming  
25 within that definition.

1 MR. TOPEL: Well, that -- oh, yes, it says  
2 Exhibit 1.5, okay.

3 MR. SHOOK: It's a little bit cut off down at the  
4 bottom but --

5 MR. TOPEL: No, I see it. I see it, that's fine.

6 JUDGE CHACHKIN: Bureau Exhibit 253 is received.

7 (Whereupon, the document previously  
8 marked for identification as Bureau  
9 Exhibit 253 was received into  
10 evidence.)

11 JUDGE CHACHKIN: 254, that's one of those actions of  
12 the board? Bureau Exhibit 254 is received.

13 (Whereupon, the document previously  
14 marked for identification as Bureau  
15 Exhibit 254 was received into  
16 evidence.)

17 JUDGE CHACHKIN: 258, another one of these memos,  
18 Paul Crouch. Any objection?

19 MR. TOPEL: Yes, Your Honor, subject to an  
20 explanation.

21 JUDGE CHACHKIN: All right.

22 MR. SHOOK: Again, this just concerns activities of  
23 TBN in terms of how they deal with personnel matters, and to  
24 the extent that we can draw a tie between what TBN is doing  
25 and how NMTV goes about filling jobs, we would attempt to do

1 that.

2 MR. TOPEL: Okay. I, I hope, I just would hope the  
3 Bureau would be open minded that, that testimony may show the  
4 absence of a tie, but, but if that's the purpose, to show how  
5 TBN does it -- again, you know, Your Honor, I wouldn't, I  
6 wouldn't say that I think the existence of a similarity may or  
7 may not be evidence of control. There can be similar  
8 documents and practices and yet independent control, but I  
9 have -- if the Bureau is going to tie, tie this up in the  
10 manner that's described and this is intended to offer how TBN  
11 does things, I, subject to the Bureau tying it up, I have no  
12 objection.

13 JUDGE CHACHKIN: Bureau Exhibit 258 is received.  
14 (Whereupon, the document previously  
15 marked for identification as Bureau  
16 Exhibit 258 was received into  
17 evidence.)

18 JUDGE CHACHKIN: 259?

19 MR. TOPEL: One second, Your Honor. Oh, yes,  
20 Your Honor, this -- if I accomplish nothing over the last 6  
21 days, I would like to accomplish excluding this exhibit. This  
22 is employment data for the Odessa station, which is parallel  
23 information to the information that we offered in TBF's direct  
24 case, which was stricken on the ground that whether they  
25 actually hired minorities or not isn't relevant --

1 JUDGE CHACHKIN: Well, let's find out if that's the  
2 purpose. I doubt if that's the purpose.

3 MR. TOPEL: Oh, well.

4 JUDGE CHACHKIN: I think it's signed by Jane Duff.

5 MR. TOPEL: Oh.

6 JUDGE CHACHKIN: That may have something to do with  
7 it.

8 MR. SHOOK: Well, there's several aspects to this.  
9 First, there's the interaction between Jane Duff and, and  
10 Colby. Colby is filing this on behalf of National Minority  
11 TV. Secondly, there is Jane, who is involved in the, in  
12 the process in terms of she's the person who signed the report  
13 but, you know, there was another purpose that we had in mind  
14 and we recognize that that purpose was covered by, you know, a  
15 prior ruling of, of yours relative to, I guess, employment  
16 reports that were offered in respect to the Portland station.  
17 I believe, I believe the Portland annual employment reports  
18 were stricken but that's, I mean, that's a little fuzzy in my  
19 mind right now.

20 MR. COHEN: Correct, you're recollection is correct.

21 MR. TOPEL: Yes, they, they, they were and,  
22 Your Honor, I, I --

23 JUDGE CHACHKIN: They may have been stricken for  
24 different reasons than -- I think, I think it was offered at  
25 that time for the purpose of showing the, the number of

1 minority employees, what have you.

2 MR. COHEN: Exactly, Your Honor.

3 MR. TOPEL: That's right.

4 JUDGE CHACHKIN: Now, this may be all --

5 MR. COHEN: I would object if this were being  
6 offered for that purpose.

7 JUDGE CHACHKIN: But apparently this is not being  
8 offered for this purpose, this -- it's being offered to show  
9 who made employment decisions, I gather, or who prepared  
10 employment reports.

11 MR. SHOOK: At least to explore the process.

12 JUDGE CHACHKIN: Yes.

13 MR. TOPEL: Your Honor, I would ask, then, that  
14 page 3 be excluded because I do think that that was the  
15 Bureau's purpose, to show the employment profile, and what we  
16 did in our offer was show the employment profile of the entire  
17 3-year ownership history of the station, which showed a, a  
18 very significant increment of minority employment, and I --  
19 I'm not asking you to revisit your ruling. I, I would put  
20 to -- I have no problem, certainly it's no secret on this  
21 record and this is just one more document that Mr. May filed  
22 documents of this nature, so that's certainly harmless. The  
23 fact that Mrs. Duff signed the report -- I wonder if  
24 Your Honor would consider receiving any of the reports that  
25 TBF submitted if they were -- if it's relevant that Mrs. Duff

1 is signing them. But I, I have no objection to pages 1 and 2  
2 for the purposes that the Bureau has stated; I do object to  
3 page 3.

4 MR. SHOOK: The Bureau, the Bureau recognizes with  
5 respect to page 3 that our offer of proof would have been  
6 similar to the offer of proof that Mr. Topel was going to be  
7 making with respect to the Portland station, that is that we  
8 thought that there was some significance to the fact that here  
9 was a station in a fairly heavy minority market, supposedly,  
10 you know, filed on behalf of the station, or, I mean, an  
11 entity that calls itself National Minority TV, and here we  
12 have an absence of minorities in the full-time positions, but  
13 I recognize that your --

14 MR. COHEN: That's --

15 MR. SHOOK: -- I recognize that your ruling relative  
16 to the Portland information, you know, encompassed that, so I  
17 guess with that in mind --

18 JUDGE CHACHKIN: Is this, is this the same community  
19 or what?

20 MR. SHOOK: This is the Odessa station.

21 JUDGE CHACHKIN: And that's Portland.

22 MR. COHEN: Now, Your Honor, they own two different  
23 stations.

24 JUDGE CHACHKIN: I understand.

25 MR. COHEN: This -- what Mr. Shook is talking about

1 is Odessa; what Mr. Topel was dealing with was Portland.

2 JUDGE CHACHKIN: Yes, I understand.

3 MR. TOPEL: Yes, Your Honor, we offered evidence for  
4 both Odessa and Portland. What we showed for Odessa was a  
5 steady increase in minority employment over the 3 years that  
6 National Minority owned it, but you've ruled that out and I  
7 just don't think that, that one report should be allowed in  
8 when all of the other reports were excluded.

9 JUDGE CHACHKIN: Well, I, I will receive the exhibit  
10 and page 3 will just be received for the purpose that it was  
11 filed and showing when it was filed, and not for the contents  
12 of the document. But I'm not, at this point, precluding an  
13 expiration of who made the decisions and how the decisions  
14 were made on employment. We'll just see where it goes,  
15 whether it deals with control. So I have -- I'm receiving --  
16 Bureau Exhibit 259 is received.

17 (Whereupon, the document previously  
18 marked for identification as Bureau  
19 Exhibit 259 was received into  
20 evidence.)

21 JUDGE CHACHKIN: 265.

22 MR. TOPEL: This falls under the umbrella these are  
23 the minutes of a TBN --

24 JUDGE CHACHKIN: Bureau Exhibit 265 is received --  
25 (Whereupon, the document previously

1 marked for identification as Bureau  
2 Exhibit 265 was received into  
3 evidence.)

4 JUDGE CHACHKIN: -- and 270 is a newsletter. What  
5 is the relevant portions, Mr. Shook?

6 MR. SHOOK: Down at the bottom of the first page,  
7 not the very last paragraph but the second-to-last paragraph,  
8 there's a very brief discussion of the Portland situation; and  
9 then on page 2, we have "Paul" as the author.

10 JUDGE CHACHKIN: Anything else?

11 MR. SHOOK: That's it.

12 JUDGE CHACHKIN: Bureau Exhibit 270 is received.  
13 (Whereupon, the document previously  
14 marked for identification as Bureau  
15 Exhibit 270 was received into  
16 evidence.)

17 JUDGE CHACHKIN: 273.

18 MR. TOPEL: Yes, Your, Your Honor, the objection I  
19 have to this document is that during discovery in the case  
20 there was some suggestion of wanting to interpret the words in  
21 his memorandum. I have no problem with the document coming in  
22 showing that, that Mr. Fountain sent a memo to  
23 Lavera Johnson -- I don't know that she's defined anyplace --  
24 and that copies went to the people shown, or that it said what  
25 it said, but there was -- to the extent that you're going to

1 be asked to draw inferences about what Mr. Fountain meant, and  
2 I'm focusing specifically on the words "transfer over," which  
3 is subject to various meanings, and Mr. Fountain hasn't been  
4 heard from that -- from on that subject, and I think it would  
5 be improper to, to draw inferences about that unless he were  
6 called to testify and explain what he meant, because "transfer  
7 over" has many meanings, as I'm sure you appreciate.

8 MR. SHOOK: Our purpose here was not to question  
9 Mr. Fountain but our purpose was to question Mrs. Duff, who  
10 was a copy -- was a recipient of this first page of our  
11 exhibit; and the second page it appears that she has filled  
12 out a detailed position report; and the third page of the  
13 exhibit, she is sending a memo to Mr. Fountain.

14 MR. TOPEL: Well, I have no problem as long as it's  
15 tied up through examination of Mrs. Duff. But, but I think it  
16 would be improper to, to use it to argue what Mr. Fountain was  
17 saying.

18 JUDGE CHACHKIN: What position did Mr. Fountain  
19 have?

20 MR. TOPEL: He's the chief engineer of the Portland  
21 station.

22 MR. COHEN: He's still there, Your Honor.

23 JUDGE CHACHKIN: Bureau Exhibit 273 is received.

24 (Whereupon, the document previously  
25 marked for identification as Bureau

1 Exhibit 273 was received into  
2 evidence.)

3 JUDGE CHACHKIN: Bureau Exhibit 279. Do you object?

4 MR. TOPEL: Yes, Your Honor, I, I don't think this  
5 adds anything useful to the record. Neither Mr. Miller nor  
6 Mr. Fountain are here. I don't know what kind of  
7 interpretations could be made out of this document or whether  
8 it was sent, why it was sent. I don't think it --

9 JUDGE CHACHKIN: All right, are you going to examine  
10 Miss Duff about this document?

11 MR. SHOOK: Yes, sir.

12 JUDGE CHACHKIN: Bureau Exhibit 279 is received.  
13 (Whereupon, the document previously  
14 marked for identification as Bureau  
15 Exhibit 279 was received into  
16 evidence.)

17 JUDGE CHACHKIN: 280 is a newsletter.

18 MR. TOPEL: Which one are we up to, Your Honor?

19 JUDGE CHACHKIN: 280, a newsletter. What, what are  
20 the pertinent portions?

21 MR. SHOOK: On the third page, Your Honor, the first  
22 portion of it, the stations that are listed; and the fourth  
23 page, the first portion, the reference to Reverend Hill.

24 JUDGE CHACHKIN: Bureau Exhibit 280 is received.

25 (Whereupon, the document previously

1 marked for identification as Bureau  
2 Exhibit 280 was received into  
3 evidence.)

4 JUDGE CHACHKIN: Bureau Exhibit 301. Slowly but  
5 surely we're getting to the end of it.

6 MR. COHEN: Hallelujah, Your Honor.

7 JUDGE CHACHKIN: Not yet.

8 MR. SHOOK: I'm sorry, Your Honor, did we discuss  
9 274?

10 JUDGE CHACHKIN: Yes.

11 MR. TOPEL: Okay, Mr. Shook is --

12 JUDGE CHACHKIN: That was a newsletter, yes.

13 MR. TOPEL: Yes, that's been reviewed? Okay.

14 JUDGE CHACHKIN: We're now at 301.

15 MR. TOPEL: Yeah, I don't have anything on --

16 JUDGE CHACHKIN: This is an annual employment  
17 report.

18 MR. TOPEL: Yes, it's the --

19 JUDGE CHACHKIN: Prepared by Jane Duff, at least  
20 signed by Jane Duff.

21 MR. TOPEL: Yes, it's, it's the same --

22 JUDGE CHACHKIN: And my ruling will be the same.

23 Bureau Exhibit 301 is received.

24 (Whereupon, the document previously  
25 marked for identification as Bureau

1 Exhibit 301 was received into  
2 evidence.)

3 JUDGE CHACHKIN: 302 is a newsletter. What, what  
4 are the pertinent portions?

5 MR. SHOOK: On page 2, the references to CET which  
6 appear in the second paragraph at the top of the page, and  
7 then we have "Paul," presuming Paul Crouch is the author;  
8 page 3, there are references to both Edie Hill and  
9 Phil Aguillar, and also there's a listing of stations.  
10 There's nothing on the fourth page that we're interested in.

11 JUDGE CHACHKIN: Bureau Exhibit 302 is received.  
12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 302 was received into  
15 evidence.)

16 JUDGE CHACHKIN: 303 is the minutes of a meeting and  
17 that will also be received.

18 (Whereupon, the document previously  
19 marked for identification as Bureau  
20 Exhibit 303 was received into  
21 evidence.)

22 JUDGE CHACHKIN: Bureau Exhibit 305 is another  
23 annual employment report, and the exhibit will be received.

24 (Whereupon, the document previously  
25 marked for identification as Bureau

1 Exhibit 305 was received into  
2 evidence.)

3 MR. COHEN: Subject to the --

4 JUDGE CHACHKIN: Subject to the same constraints,  
5 yes. Bureau Exhibit 313 is a memo from Tim Ullery,  
6 U-L-L-E-R-Y, to Pat St. John. Do you object to that?

7 MR. TOPEL: I think I -- is what -- 313?

8 JUDGE CHACHKIN: 313, yes.

9 MR. TOPEL: I have no objection subject to it being  
10 tied.

11 JUDGE CHACHKIN: Bureau Exhibit 313 is received.  
12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 313 was received into  
15 evidence.)

16 JUDGE CHACHKIN: 317? I will receive Bureau  
17 Exhibit 317.

18 (Whereupon, the document previously  
19 marked for identification as Bureau  
20 Exhibit 317 was received into  
21 evidence.)

22 JUDGE CHACHKIN: 321, is the purpose to reflect  
23 Mr. Miller's position?

24 MR. SHOOK: It's not only to reflect Mr. Miller's  
25 position but also Mr. Osborne's. I believe, and I'm speaking

1 off the top of my head right now, that Mr. Osborne was the  
2 station manager or person in charge at Trinity's Canton --

3 MR. COHEN: That's --

4 MR. SHOOK: -- station.

5 MR. COHEN: That's correct.

6 MR. SHOOK: And that this activity concerns NMTV's  
7 Columbus station.

8 MR. TOPEL: I have no objection, Your Honor, to it,  
9 to it being tied up, tied up to the control question.

10 MR. COHEN: Your Honor, can I speak to this? This  
11 raises a question that I -- this, this document is the type of  
12 document that came in earlier and I, I was reflecting on this  
13 at lunch and I want my position to be clear because I think  
14 that I was unintentionally foggy, but albeit foggy. If you  
15 recall, Your Honor, there was a series of documents from  
16 Mr. Miller to various person and it came -- they came in for  
17 them and took it, but I think it's important that the  
18 documents come in to show what they show. That's not -- and  
19 that there's no hearsay purpose. I'm not -- those documents  
20 were not coming in for the truth of the proposition asserted,  
21 but if Mr. Miller said in a memo, as I recall, "I told  
22 Mark Fountain to do this," I want the document in for the  
23 purpose that the memo says that he told him --

24 MR. TOPEL: May I --

25 MR. COHEN: -- not for the truth of it, but the fact

1 that he said that he told him to do it.

2 MR. TOPEL: Well, Your Honor, the problem --

3 MR. COHEN: And I think that's -- if I can be heard,  
4 and I think that's a completely proper and an appropriate  
5 procedure because it's not coming in for the hearsay -- it's  
6 not coming in for hearsay and the document has been  
7 authenticated the document came from the files. This is a  
8 similar kind of a document, that's why I raised this.

9 MR. TOPEL: Your Honor, Your Honor, if I, if I may  
10 be heard. The -- this document has not been received subject  
11 to a limited purpose. It's been received subject to its  
12 relevance to control being tied up on examination. That's a  
13 different matter. The point that Mr. Cohen is, is raising  
14 related to a number of memoranda particularly concerning  
15 Mr. Miller, Miller, that were unsigned memoranda that we  
16 couldn't be sure he wrote and that, that although Mr. Cohen  
17 had time with him during deposition, didn't ask him about, and  
18 so we don't know the explanation. It's a lot -- it's, it's  
19 very much like that Mark Fountain document that we talked  
20 about, and those documents have come and gone. We had our  
21 discussion on them, the, the purposes for which Mr. Cohen  
22 wanted to offer them were stated at that time. I acceded to  
23 their coming into the record, and I don't think it would be  
24 very productive to go back and revisit all of those documents  
25 because I'm getting the impression that Mr. Cohen now wants to

1 broaden the, the scope of the offer that he made.

2 MR. COHEN: I want to clarify my remarks,  
3 Your Honor, and if it, if it amounts to you revisiting them,  
4 then I respectfully urge that you do, and I recognize that I  
5 brought this up perhaps at the wrong time, but at the  
6 conclusion of the Trinity admission, then I would respectfully  
7 ask you, if you think it's appropriate, to revisit those,  
8 those documents if that's necessary.

9 JUDGE CHACHKIN: Which documents are they?

10 MR. COHEN: I'll have a list for you.

11 JUDGE CHACHKIN: All right, let's finish with this.  
12 Bureau Exhibit 321 is received.

13 (Whereupon, the document previously  
14 marked for identification as Bureau  
15 Exhibit 321 was received into  
16 evidence.)

17 JUDGE CHACHKIN: 323, which is a financial statement  
18 for TBN.

19 MR. TOPEL: Yeah, Your Honor, we have no objection  
20 subject to it being tied.

21 JUDGE CHACHKIN: Bureau Exhibit 323 is received.

22 (Whereupon, the document previously  
23 marked for identification as Bureau  
24 Exhibit 323 was received into  
25 evidence.)

1 JUDGE CHACHKIN: Now we go on to Volume 6.  
2 Volume 6, 324 has been objected to. That's a financial  
3 statement for Community Educational Television.

4 MR. TOPEL: Yes, Your Honor. In an off-the-record  
5 discussion, Mr. Shook has indicated to me that he intends to  
6 try to tie that up to something relevant to this proceeding,  
7 so without committing to whether or not he does that, I don't  
8 object to it subject to it being tied up.

9 JUDGE CHACHKIN: Bureau Exhibit 324 is received.  
10 (Whereupon, the document previously  
11 marked for identification as Bureau  
12 Exhibit 324 was received into  
13 evidence.)

14 JUDGE CHACHKIN: Next objection is Bureau  
15 Exhibit 350.

16 MR. TOPEL: Oh, Your Honor, I don't have that on my  
17 list.

18 JUDGE CHACHKIN: You don't object to 350?

19 MR. TOPEL: I don't know, I have to look at it. I  
20 may, I may not.

21 MR. SHOOK: Your Honor, my notes reflect that  
22 Exhibit 339 was not ruled upon.

23 JUDGE CHACHKIN: Let's see.

24 MR. COHEN: 339 was received subject to --

25 MR. SHOOK: Then I just missed it.

1 JUDGE CHACHKIN: 339 was received subject to it tied  
2 up.

3 MR. SHOOK: Oh, okay.

4 MR. TOPEL: Yes, and, and that -- I have the same,  
5 the same position on 350.

6 JUDGE CHACHKIN: Bureau Exhibit 350 is received.  
7 (Whereupon, the document previously  
8 marked for identification as Bureau  
9 Exhibit 350 was received into  
10 evidence.)

11 MR. TOPEL: It should have been in that list.

12 JUDGE CHACHKIN: The next one is 370.

13 MR. TOPEL: Well, let me have one moment with this,  
14 Your Honor.

15 JUDGE CHACHKIN: Yes.

16 MR. TOPEL: I have no objection subject to it being  
17 tied.

18 JUDGE CHACHKIN: Bureau Exhibit 370 is received.  
19 (Whereupon, the document previously  
20 marked for identification as Bureau  
21 Exhibit 370 was received into  
22 evidence.)

23 JUDGE CHACHKIN: Bureau Exhibit 372 is a newsletter.

24 Would you indicate the relevant portion, Mr. Shook?

25 MR. SHOOK: The listing of stations on page 4,

1 Your Honor. Or, excuse me, it's page 5.

2 JUDGE CHACHKIN: Bureau Exhibit 372 is received.

3 (Whereupon, the document previously  
4 marked for identification as Bureau  
5 Exhibit 372 was received into  
6 evidence.)

7 JUDGE CHACHKIN: Bureau Exhibit 384 is the minutes  
8 of a 1992 annual meeting of the boards of TBN and affiliates.  
9 The exhibit is received.

10 JUDGE CHACHKIN: 390 --

11 MR. TOPEL: Excuse me, Your Honor, which number did  
12 you just --

13 JUDGE CHACHKIN: 385.

14 MR. TOPEL: 385.

15 JUDGE CHACHKIN: Yes.

16 MR. TOPEL: All right, thank you.

17 (Whereupon, the document previously  
18 marked for identification as Bureau  
19 Exhibit 385 was received into  
20 evidence.)

21 JUDGE CHACHKIN: Next is 390, and that's a memo  
22 from --

23 MR. TOPEL: Yes.

24 JUDGE CHACHKIN: -- Ben Miller to Paul Crouch.

25 MR. TOPEL: I have no, no objection subject to it

1 being tied.

2 JUDGE CHACHKIN: All right, is that satisfactory to  
3 the Bureau?

4 MR. SHOOK: Your Honor, I'm sorry, I missed the --

5 JUDGE CHACHKIN: 390, he says that he has no  
6 objection subject to being tied.

7 MR. SHOOK: That's fine, Your Honor.

8 JUDGE CHACHKIN: Bureau Exhibit 390 is received.

9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 390 was received into  
12 evidence.)

13 JUDGE CHACHKIN: 391 is the next one.

14 MR. TOPEL: Yes, Your Honor, may I have a minute  
15 with that one?

16 JUDGE CHACHKIN: Yes.

17 MR. TOPEL: I have no objection subject to it being  
18 tied.

19 JUDGE CHACHKIN: Bureau Exhibit 391 is received.

20 (Whereupon, the document previously  
21 marked for identification as Bureau  
22 Exhibit 391 was received into  
23 evidence.)

24 JUDGE CHACHKIN: 392?

25

MR. TOPEL: Same.